

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Revenue Department - Allegations of corruption against Sri Karnam Harinath, Village Revenue Officer, Vepanjeri Village, Office of the Tahsildar, Gangadhara Nellore Mandal, Chittoor District – Trapped by the Anti-Corruption Bureau Officials on 17-09-2009 – Prosecution sanctioned - Orders – Issued.

REVENUE (VIGILANCE-**VII**) DEPARTMENT

G.O.Ms.No. 200

Dated: 08-03-2011.

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ORDER:

1. Whereas, Sri Karnam Harinath, Son of Sri K.Ranganadha Pillai, worked as Village Revenue Officer, Vepanjeri Village, Office of the Tahsildar, Gangadhara Nellore Mandal, Chittoor District from 08-02-2007 to 17-09-2009 and by virtue of the post held by him, he falls under the category of 'Public Servant' as defined under section 2 (c) of the Prevention of Corruption Act, 1988 (Act 49 of 1988);

2. And whereas, the complainant Sri K.Venkatesh S/o.Sri Kuppuswamy of Agaramangalam Harijanawada, Gangadhara Nellore Mandal, Chittoor District came to the Office of Deputy Superintendent of Police, Anti-Corruption Bureau, Tirupati and lodged a report on 16-09-2009 at 10:00 hours stating that he purchased DKT agricultural land of 0.80 cents in Sy.No.9/1A of Veeraka Nellore Village from (1) Sri Gopal; (2) Sri Narasimhulu; and (3) Sri Krishnaiah of Petanatham Village and he got registered the above land in his name in Sub-Registrar Office, Chittoor vide Doc.No.8094/1998. As the land is DKT land and as the Patta was in the names of the Sellers, he submitted a requisition to the Government with a request to issue Patta to the above purchased 0.80 cents land in the name of his Wife Smt.K.Geetha. About one year back, an enquiry was conducted and the Patta in the names of Sri Gopal and others, in respect of the above property was cancelled and a fresh Patta was issued in favour of the Wife of Sri K.Venkatesh for the land of 0.80 cents under land distribution scheme. Sri Karnam Harinath, Village Revenue Officer kept the Patta issued in favour of Wife of Sri K.Venkatesh, in his custody without delivering the same to her. Sri K.Venkatesh met the Village Revenue Officer Sri Karnam Harinath several times and requested to deliver the DKT Patta. The Village Revenue Officer Sri Karnam Harinath postponed the matter to different dates saying that amount was spent in getting the Patta issued and the amount has to be paid to him. On 27-08-2009, Sri K.Venkatesh met the Village Revenue Officer Sri Karnam Harinath and requested him to help in getting Pattadar Pass Book in the name of his wife for the above land. Sri Karnam Harinath obtained application from Sri K.Venkatesh and demanded him to pay Rs.2,000/- as bribe to deliver patta paper and to get issued Pattadar Pass Book by the Tahsildar. Sri K.Venkatesh expressed his inability to pay the bribe amount and came back. Thereafter, Sri K.Venkatesh met the Village Revenue Officer Sri Karnam Harinath about six times and requested to do his work, but the Village Revenue Officer Sri Karnam Harinath postponed the issue to different dates ascertaining that Sri K.Venkatesh had not brought the demanded bribe amount. Finally on 12-09-2009 Saturday evening, Sri K.Venkatesh met the Village Revenue Officer Sri Karnam Harinath in his room at Gangadhara Nellore, informed him about his poor condition and about his inability to pay the demanded bribe amount and requested him to do his work. On that, Sri Karnam Harinath, Village Revenue Officer reduced the bribe amount to Rs.1,300/- and categorically stated that he would not do his work without the payment of Rs.1,300/- as bribe. Sri Karnam Harinath, Village Revenue Officer informed Sri K.Venkatesh that he got transferred and to pay the bribe amount of Rs.1,300/- within a week in his room in Gangadhara Nellore otherwise his work would not be done. As Sri K.Venkatesh is not willing to pay the bribe amount to the Village Revenue Officer Sri Karnam Harinath, he reported the matter to the Anti-Corruption Bureau;

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3. And whereas, the Deputy Superintendent of Police, Anti-Corruption Bureau, Anti-Corruption Bureau, Tirupati registered the report as a case in Cr.No.14/RCT-TCT/2009 under section 7 of the Prevention of Corruption Act, 1988 (Act 49 of 1988) at 12:45 hours on 17-09-2009 after due verification. During the course of investigation, the Deputy Superintendent of Police, Anti-Corruption Bureau conducted pre-trap proceedings in his Office room at Tirupati on 17-09-2009 from 14:00 hours to 16:00 hours in the presence of two Mediators and four Anti-Corruption Bureau Inspectors and the staff. Sri K.Venkatesh was also present during that time. All the required formalities to be observed were complied with;

4. And whereas, after pre-trap proceedings, the trap team along with Sri K.Venkatesh left the Anti-Corruption Bureau Office, Tirupati on 17-09-2009 at 16:15 hours and reached Social Welfare Girls Hostel situated at Sathyammagudi Street, Gangadara Nellore at 18:15 hours. The Deputy Superintendent of Police, Anti-Corruption Bureau asked Sri K.Venkatesh to get down from the vehicle go to the room of Sri Karnam Harinath, Village Revenue Officer and to pay the bribe amount on his further demand only and in case of demand and acceptance of the bribe amount by Sri Karnam Harinath, Village Revenue Officer to give pre arranged signal. The Deputy Superintendent of Police, Anti-Corruption Bureau instructed the P.C.-410 to receive the signal from Sri K.Venkatesh and relay the same to the remaining trap party. Sri K.Venkatesh left the vehicle and went towards the room of Sri Karnam Harinath, Village Revenue Officer. Sri K.Venkatesh entered into the room of Sri Karnam Harinath, Village Revenue Officer and enquired him about his Pattadar Pass Books. Then Sri Karnam Harinath, Village Revenue Officer asked Sri K.Venkatesh whether he had brought the demanded bribe amount. On his positive reply, Sri Karnam Harinath, Village Revenue Officer asked Sri K.Venkatesh to give the bribe amount. Sri K.Venkatesh took out the tainted amount of Rs.1,300/- from his shirt pocket and gave it to Sri Karnam Harinath, Village Revenue Officer. Sri Karnam Harinath, Village Revenue Officer received that amount with his right hand, counted with his both hands and kept the same on the table top. At the time Sri N.Eswara Reddy of Menatampalli Village was also present in the room along with Sri Karnam Harinath, Village Revenue Officer. Sri K.Venkatesh came out of the room of Sri Karnam Harinath, Village Revenue Officer and gave signal. The Deputy Superintendent of Police, Anti-Corruption Bureau received the signal relayed by the P.C.-410 and rushed to the room of Sri Karnam Harinath, Village Revenue Officer along with the Mediators and other trap party. While entering the room, the Deputy Superintendent of Police, Anti-Corruption Bureau directed Sri K.Venkatesh to stand out side till he was called in. The trap team entered into the room of Sri Karnam Harinath, Village Revenue Officer and found him present along with Sri N.Eswara Reddy in the front portion of the room. The Deputy Superintendent of Police, Anti-Corruption Bureau got prepared Sodium Carbonate Solutions in two glass tumblers and asked Sri Karnam Harinath, Village Revenue Officer to rinse his fingers of his both hands separately in the solutions and on doing so, they yielded positive results. On being questioned by the Deputy Superintendent of Police, Anti-Corruption Bureau, Sri Karnam Harinath, Village Revenue Officer stated that he received an amount of Rs.1,300/- from Sri K.Venkatesh and so saying he pointed out a wad of currency notes lying on the table as that of the amount received by him from Sri K.Venkatesh. At the instance of the Deputy Superintendent of Police, Anti-Corruption Bureau, one of the Mediators picked up that amount, verified it and found tallied with the numbers mentioned in Mediators Report No.1. The Deputy Superintendent of Police, Anti-Corruption Bureau seized the bribe amount. The Deputy Superintendent of Police, Anti-Corruption Bureau got rubbed the place where the tainted amount was placed on the table top with a cotton swab and dipped it in the solution, it yielded positive result. In his explanation, the Village Revenue Officer Sri Karnam Harinath voluntarily admitted that he kept the DKT patta issued in favour of Sri K.Venkatesh's wife in his custody without delivering the same to her besides the application for issue of fresh

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Pattadar Pass Book. At the request of the Deputy Superintendent of Police, Anti-Corruption Bureau, Sri Karnam Harinath, Village Revenue Officer voluntarily produced (1) DKT Patta of Sri K.Venkatesh's wife Smt.K.Geetha; (2) Application Dated: 27-08-2009 of Sri K.Venkatesh addressed to the Tahsildar, Gangadara Nellore with a request to issue Pattadar Pass Book in the name of his wife; (3) Original Pattadar Pass Book and Title Deed Book already issued in favour of Sri K.Venkatesh. The Deputy Superintendent of Police, Anti-Corruption Bureau arrested the Village Revenue Officer Sri Karnam Harinath on 18-09-2009 at 00:30 hours duly informing the grounds of his arrest. All the happenings, narrations of Sri Karnam Harinath, Village Revenue Officer, K.Venkatesh and the witness Sri N.Eswara Reddy have been recorded in the Mediators Report No.2 drafted in between 18:45 hours on 17-09-2009 to 00:40 hours on 18-09-2009;

5. And whereas, the afore said acts of Sri Karnam Harinath, Village Revenue Officer, O/o Tahsildar, Gangadara Nellore Mandal, Chittor District constitute offense punishable under sections 7, 13(2) read-with section 13(1)(d) of the Prevention of Corruption Act, 1988 (Act 49 of 1988);

6. And whereas, Government of Andhra Pradesh being the authority competent to remove the said Sri Karnam Harinath, Village Revenue Officer, O/o of Tahsildar, Gangadara Nellore Mandal, Chittor District from Government service, after fully and carefully examining the material viz., copy of First-Information Report, copies of pre-trap and post-trap proceedings i.e., Mediators' Reports-I & II, final report of the Director General, Anti-Corruption Bureau, which contains gist of statements of witnesses and documents and other material placed before them, in regard to the said allegation and circumstances of the case, consider that the said Sri Karnam Harinath, Village Revenue Officer, Office of the Tahsildar, Gangadara Nellore Mandal, Chittor District should be prosecuted in a court of law for the aforesaid offences;

7. Now, therefore, in exercise of the powers conferred by clause (b) of sub-section (1) of section 19 of the Prevention of Corruption Act, 1988 (Act 49 of 1988), Government of Andhra Pradesh hereby accord sanction for prosecution of the said Sri Karnam Harinath, Village Revenue Officer, O/o of Tahsildar, Gangadara Nellore Mandal, Chittor District for the offences punishable under section 7 and sub-section (2) of section 13 read-with clause (d) of sub-section (1) of section 13 of the Prevention of Corruption Act, 1988 (Act 49 of 1988) and for any other cognate offences punishable and for any other provisions of law, for the time being in force, in respect of the aforesaid acts and for taking cognizance of the said offences by a court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**ASUTOSH MISHRA
PRINCIPAL SECRETARY TO GOVERNMENT**

To
The Director General,
Anti-Corruption Bureau,
Andhra Pradesh, Hyderabad.

//Forwarded By Order//

Section Officer